UNITED
NATIONS

CERD

International Convention on the Elimination of all Forms of Racial Discrimination

Distr.
GENERAL

CERD/C/SR.1313
11 March 1999

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-fourth session

SUMMARY RECORD OF THE 1313th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 5 March 1999, at 3 p.m.

Chairman: Mr. ABOUL-NASR

later: Mr. YUTZIS

CONTENTS

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING MEASURES AND URGENT ACTION PROCEDURES

Rwanda

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Review of the implementation of the Convention in States parties whose reports are excessively overdue

Congo

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum to be issued shortly after the end of the session.

GE.99-40778 (E)

The meeting was called to order at 3.10 p.m.

PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING MEASURES AND URGENT ACTION PROCEDURES (agenda item 3)

Rwanda

1. At the invitation of the Chairman, Mr. Kananura (Rwanda) took a place at the Committee table.

2. Mr. KANANURA (Rwanda) expressed regret that his Government had been unable to submit the eighth, ninth, tenth and eleventh periodic reports, the delay having been due mainly to the war that had broken out in Rwanda in 1990 and the massacres and genocide of 1994. In the aftermath of those tragic events, Rwanda had been working to establish the political institutions needed to restore peace and security in the country. His Government was grateful to the Committee for allowing it to submit the above-mentioned reports in a single document in the near future.

3. Providing first some background data on the country, he said that Rwanda's population of 7.7 million people was composed of three ethnic groups, the Bahutu, the Batutsi and the Batwa, who all spoke the national language, Kinyarwanda. The distinction between the three ethnic groups was not as clear-cut as between tribes in other African countries. The three groups intermarried, spoke the same language, shared the same culture and lived together on the same territory, not in separate areas.

4. having suffered the consequences of the policy of exclusion of the earlier regimes, Rwanda was doing everything in its power to ensure that the members of the three ethnic groups were henceforth equal, both before the law and in actual practice.

5. He briefly reviewed the structure of Rwanda's political and judicial system. The 1991 Constitution, the 1993 Arusha Peace Agreement, the 1994 Declaration of the Rwandese Patriotic Front (FPR) and the 1994 Protocol of Agreement, all formed an integral part of Rwandan fundamental law. Human rights were guaranteed by the fundamental law, the international conventions to which Rwanda was a party and special legislation. Their protection was ensured by the courts. Pursuant to legislation passed by the Parliament on 19 January 1999, a National Human Rights Commission had been set up to examine all violations of human rights committed on Rwandan territory, in particular by state bodies, individuals acting on behalf of the State and national organizations operating in Rwanda.

6. His Government had launched a number of human rights information programmes. Human rights issues were being included in the educational curriculum. The population was also informed of its rights through broadcasts. One of the tasks of the National Human Rights Commission would be to heighten human rights awareness in the Rwandan population.

7. Concerning implementation of articles 2 to 7 of the Convention, he said that Rwanda was deeply committed to respecting fundamental human rights and firmly supported all peoples that combated racial discrimination in any form.

His Government vigorously condemned any activity involving racism or racial discrimination as being prejudicial to the exercise of human rights and fundamental freedoms and to international peace and security.

8. Rwanda recognized the values and principles enshrined in the international conventions and human rights instruments which Rwanda had ratified, including the Universal Declaration of Human Rights, the International Human Rights Covenants, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the International Convention on the Elimination of All Forms of Racial Discrimination and the African Charter on Human and Peoples' Rights.

9. At the national level, the principle of non-discrimination was anchored notably in the Constitution of 10 June 1991 and the Arusha Peace Agreement and its Protocols. Whereas in the past, official documents had been required to state ethnic origin, article 16 of the Protocol to the Agreement did away with any such reference.

10. A number of other laws and regulations also laid down the principle of non-discrimination. Article 393 of the Penal Code made slander, insults or acts of hatred directed against a group of persons who were members of a particular race or religion as well as acts likely to instigate such hatred punishable by a prison sentence of from one month to one year and/or a fine not exceeding 5,000 francs. Article 25 of the Labour Code prohibited all discrimination in employment. The Government had also taken measures to eliminate racial discrimination in the areas of education, culture and information.

11. Concerning more particularly the implementation of article 2, he said that in order to give effect to article 2.1. (a), the Constitution recognized the equality of all citizens before the law without any distinction, expressly prohibited racial discrimination and guaranteed that foreigners enjoyed the same civil rights as Rwandan citizens.

12. Article 28 of decree-law 06/82 of 7 January 1982 on the status of judicial personnel stipulated that judges were required to serve the cause of justice without any discrimination on the basis, inter alia, of race, colour, origin, ethnic group or clan. The supreme judicial authority for administrative matters, the Council of State, could annul any discriminatory administrative act, measure or decision.

13. The aforementioned measures, by their very nature, gave effect to the commitment under article 2 not to sponsor, defend or support racial discrimination by any persons or organizations. Such acts were punishable under the Penal Code and the Labour Code.

14. The following measures had been taken to implement article 2.1. (c) of the Convention: amendment and revision of the 1978 Constitution by the adoption of the 1991 Constitution guaranteeing fundamental rights and freedoms; reaffirmation in the Arusha Peace Agreement of the firm determination to respect the principles of the rule of law, democracy, national unity, pluralism and fundamental human rights and freedoms;

establishment of the National Human Rights Commission; setting up of the National Unity and Reconciliation Commission under legislation passed on 19 January 1999.

15. Regarding implementation of article 3 of the Convention, he said that Rwanda had consistently condemned racial segregation, and apartheid in particular. Equality before the law was guaranteed for all without any distinction. But the massacres and genocide of 1994 had taken place despite those measures, and in order to prevent the crime of genocide once and for all, Implementing Act No. 8/96 of 30 August 1996 on the organization of the prosecution of offences constituting the crime of genocide or crimes against humanity, which had entered into force on 1 October 1990, specifically provided for punishment of those crimes.

16. With regard to the implementation of article 4 of the Convention, the aforementioned article 393 of the Penal Code prescribed punishment for all acts of discrimination, as did Implementing Act No. 8/96 for the crime of genocide.

17. Article 16 of the Constitution enshrining equality of all citizens before the law without any discrimination was the basic text of relevance to the implementation of article 5 of the Convention. Equal treatment in the courts was set forth in article 92 of the Constitution.

18. Articles 310-395 of the Penal Code guaranteed the right to security of person and protection against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; article 297 made arbitrary detention a punishable offence.

19. The Rwandan Constitution and legislation guaranteed the civil and political rights set out in article 5. They included the right to freedom of movement, although immigration, emigration and change of residence were subject to certain restrictions on grounds of public order or State security, the right to nationality, the right to marriage and choice of spouse, the right to own property, the right to inherit, freedom of thought, conscience and religion, freedom of opinion and expression and freedom of peaceful assembly and association. Economic, social and cultural rights were guaranteed not only under the Constitution but also by virtue of Rwanda's ratification of the International Covenant on Economic, Social and Cultural Rights and by legislation, including the Labour Code.

20. Under its housing policy, the Government had notably granted subsidies to the Twa minority to improve the ramshackle dwellings in which they were housed. A fund to assist the neediest survivors of the genocide, focusing on education, health and housing, had been established by an Act of 22 January 1998.

21. Health policy had focused on the provision of low-cost medical care in State hospitals, the decentralization of health care and health education. There were plans to extend social security coverage to include health insurance for the entire population.

22. Equality of access to public places and services was guaranteed by articles 16 and 21 of the Constitution.

23. With regard to article 6 of the Convention, the right of every individual to seek redress before the courts and other competent bodies was guaranteed by article 14 of the Constitution.

24. Turning to article 7, he said that Implementing Act No. 1/1985 provided for both public and private educational establishments and human rights were currently being incorporated in their curricula. The Constitution guaranteed freedom of association and freedom to participate in cultural activities. Government human rights information programmes included radio broadcasts dealing with the judicial system in general and human rights in particular.

25. The recently established Human Rights Commission and National Unity and Reconciliation Commission were to serve as the basic framework for the safeguarding of human rights and human rights teaching. In keeping with its commitments under the Convention, the Broad-Based Transitional Government had assigned top priority to reconciliation among the three Rwandan ethnic groups and the replacement of the culture of impunity by a culture of human rights.

26. Mr. van BOVEN (Country Rapporteur) said that the passive stance of the international community during the genocide in Rwanda in 1994 had been a serious defeat for the United Nations as a whole and for the Committee on the Elimination of Racial Discrimination in particular. At a time when considerable progress was being made in the prevention of human rights violations, nobody had suspected that a catastrophe of such magnitude was in the offing. It was a tragedy that so little had been done to prevent it.

27. In updating the Committee's information on the situation in Rwanda, he had drawn, in particular, on the report of the High Commissioner for Human Rights on the Human Rights Field Operation in Rwanda (A/53/367) and the report of the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda (A/53/402), whose mandate consisted in making recommendations on improving the human rights situation in Rwanda, facilitating the creation and effective functioning of an independent national human rights commission and making recommendations on situations in which technical assistance in human rights to the Government of Rwanda might be appropriate. Both the High Commissioner and the Special Representative would be reporting to the forthcoming session of the Commission on Human Rights. Resolution 156 adopted by the General Assembly at its fifty-third session reiterated many of the points made by the Committee in decision 5 (53) adopted at its previous session.

28. Serious concerns about the security conditions in Rwanda, which were closely bound up with the situation in the Great Lakes region as a whole, had been expressed in paragraphs 4 and 5 of Committee decision 5 (53) and in paragraph 3 of General Assembly resolution 156. While there were still considerable grounds for concern, some improvements had been discernible in recent months in the north-west of the country and elsewhere. He welcomed the preventive and punitive measures taken by the Government against crimes committed by the armed forces. According to the report issued in November 1998 by the International Commission of Inquiry on the sale, supply

and shipment of arms and related matériel in the Great Lakes region (S/1998/1096), the free flow of arms into and within Africa was a major long-term cause of insecurity and instability in the central African subregion. It was fuelled by the presence of a multitude of rebel groups who enjoyed a large measure of governmental support. The destructive process it entailed had been hastened by the close links that had been established among the armed groups, the armies of losers proliferating throughout central Africa of which the former Rwandan government forces were the most violent, well-armed, well-organized and most dangerous.

29. With regard to the judicial process, prison conditions and genocide survivors, General Assembly resolution 156 commended the prosecution of elements of Rwandan armed forces that had violated international humanitarian law, the efforts of the Government to ensure the independence of the judiciary and to strengthen the capacity of the judicial system, the continuation of trials of those suspected of genocide and crimes against humanity, and the strengthening of the protection of genocide survivors. It noted that prison conditions were still deplorable and encouraged the Government to continue looking for pragmatic solutions aimed at increasing the number of prisoners released. He appreciated the difficulties involved in keeping some 125,000 persons in detention and stressed the need for assistance in monitoring their conditions and protecting them against cruel, inhuman and degrading treatment or punishment.

30. While progress had been made in the administration of justice, with an increase in the number of judges, prosecutors and defence lawyers, there were still immense requirements to be met in an expeditious, fair and effective manner. There was also a major need for legal aid and reparations, including compensation for victims of genocide. He welcomed the establishment of a fund for that purpose and the Government's efforts to ensure that abandoned property occupied by others was promptly returned to its rightful owners. In that connection, he drew attention to the Committee's General Recommendation XXII.

31. After a difficult start, the International Criminal Tribunal for Rwanda had taken measures to expedite criminal proceedings. Judgements had been handed down against former Prime Minister Jean Kambanda and former district mayor Jean-Paul Akayesu. It was the first time that an international court had based its judgement on the crime of genocide as defined in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

32. The closure of the United Nations Human Rights Field Operation in Rwanda indicated a certain reluctance on the part of the Government to accept international monitoring. It was regrettable that the negotiations between the authorities and the High Commissioner for Human Rights to keep the Operation open had failed. In her report to the General Assembly, the High Commissioner had expressed regret and her belief that Rwanda would still benefit from sustained international cooperation and support to strengthen its domestic capacity for the promotion and protection of human rights.

33. He would welcome information regarding further developments in the establishment of the National Human Rights Commission and the implementation of the Government's five-point plan, which comprised training of national

human rights monitors, initiating human rights education programmes in formal and informal education, providing the National Human Rights Commission with the necessary financial and technical assistance, initiating a human rights public awareness campaign using media resources, and establishing a national centre for human rights as an information clearing house and training centre. It was important that the ethnic groups were equitably represented in the composition and activities of the National Commission and in all the country's major political and social institutions (paragraph 9 of Committee decision 5 (53)). The Committee would also appreciate further details concerning the National Unity and Reconciliation Commission.

34. He supported the plan to organize a workshop or round table bringing together regional and international experts and representatives of the National Assembly, the Government, the judiciary and civil society with a view to launching a public debate on how the National Human Rights Commission could be made an independent and effective institution on the basis of recognized international human rights standards. The Committee would be pleased to offer its expertise in that context as a monitor of the standards contained in the Convention.

35. Despite improvements in the situation in Rwanda, many paragraphs of Committee decision 5 (53) continued to be relevant, particularly those concerning security in the region as a whole, the arms flow and the many armed groups which continued to violate basic principles of humanitarian law and were accountable to no authority. The Committee condemned in the harshest terms those who traded in arms for profit. He had no hesitation in describing such corporations as accomplices in war crimes and crimes against humanity.

36. The Government's plans and projects did not constitute solutions in themselves but would serve as important tools for the establishment of better conditions for the enjoyment of human rights. The Committee was prepared to offer the Rwandan authorities every assistance in those efforts.

37. Mr. Yutzis took the Chair.

38. Mr. de GOUTTES suggested that the oral report given by the representative of Rwanda might usefully be written up for distribution to the members of the Committee, and indeed might well form a basis for a core document for use by all the treaty monitoring bodies.

39. Referring to the Committee's decision 5 (53), he requested information about progress in correcting the under-representation of ethnic Hutus in important political and social institutions in Rwanda (para. 9), the expected composition of the new National Human Rights Commission (para. 13) and the current state of relations between the national judicial authorities and the International Criminal Tribunal for Rwanda (para. 6). Referring to decision 4 (52), he asked whether the process of rebuilding civil institutions, in particular an independent judiciary, had gathered pace and whether there had been any improvement in the deplorable conditions of detention of persons accused of serious human rights violations (para. 4).

40. Mr. KANANURA (Rwanda), in reply to the question about Hutu under-representation, said that all the parties that had taken part in

the talks leading to the Arusha Peace Agreement were represented in the Government, with the exception of the National Republican Movement for Development and Democracy (MRND), because of its part in the genocide. A number of ministerial posts had also been given to the Rwandese Patriotic Front (RPF). Consequently, there were more Hutus than Tutsis in the Government. Moreover, since each of the political parties had 11 representatives in the National Assembly, and because of the ethnic composition of many ministries, there were around five times as many Hutus as Tutsis in the main political institutions of the country.

41. With regard to the National Human Rights Commission, he said that, after consultations with the church, non-governmental organizations (NGOs) and political parties, the Government had drawn up a list of 10 names, which had been submitted to the National Assembly. No decision had yet been taken on the seven people who were to make up the Commission.

42. A protocol of cooperation between the International Criminal Tribunal for Rwanda and the Government had been proposed by Rwanda in 1998, but the Tribunal had not responded. Neither the people nor the Government of Rwanda believed it was right that the planners of the genocide were being tried outside Rwanda when institutions were in place to try them within the country. There were also very serious problems involved in transporting witnesses - many of whom were illiterate peasants - to Arusha to give evidence. It was particularly difficult to guarantee their anonymity and a number of them had been killed after returning to Rwanda. Another problem was that the population was unable to see that justice was being done: people did not believe, for example, that the former Prime Minster had been put on trial. The Government had therefore asked the Tribunal to conduct at least part of the proceedings in Rwanda itself, in order to show genocide survivors that justice was being done.

43. With regard to the question of rebuilding an independent judiciary and the conditions under which detainees were being held, he observed that the genocide had claimed some 1.2 million victims within a period of three months, and that the perpetrators of the genocide were thought to number around 500,000. There were currently 136,000 detainees, but no case files, as they had been detained during the RPF advance on Kigali to stop the genocide and the military had been unable to keep records. Assistance had been sought and gratefully received for the training of judges and police, and the organization "Advocats sans frontières" had helped with the defence of detainees, but the number of prisoners was so large that some way had to be found to make the situation more manageable. The Government had therefore grouped the prisoners in categories according to the kind of offence. Those accused of crimes of genocide, including crimes committed by persons in authority - members of the Government, the military and local administrators - but also those who had killed in order to avoid being killed, fell into two categories. One category included those who had committed offences against property - they numbered around 20,000. The Government wished to release them, but that had not yet been possible, since local people were not always willing to receive them back into the community, and summary revenge had been taken on some who had been released. Between 400 and 500 detainees in the other categories had been tried, as compared with the two who had been tried by the Arusha Tribunal.

44. With regard to detainees' conditions, he said that, as it usually took three weeks to make the preparations to bring one person to court, the Government had attempted to reduce the numbers awaiting trial by offering to commute the sentence of anyone who confessed. Unfortunately, that had had the reverse effect, since each confession implicated between 5 and 10 other people still at large, who had to be arrested. In 1995, Rwanda had had only 14 prisons, and, despite the construction of new detention centres since then, there were now simply too many detainees, all of whom required food and health care. In order to make it possible for detainees to spend some time in the open air and at the same time help to meet their own food requirements, they had been given the opportunity to plant and harvest crops in fields nearby. His Government was well aware of the amount that remained to be done, but it could not simply release those involved in the killings, because that could provoke another genocide.

45. Mr. van BOVEN asked whether he was right in assuming that, since the composition of the National Human Rights Commission had not yet been determined, it was not yet in operation. He also asked whether the Rwandan National Unity and Reconciliation Commission had started work and whether Rwanda was implementing the Government's five-point plan to train human rights monitors, initiate human rights education programmes, provide the National Human Rights Commission with financial and technical assistance, initiate a public awareness campaign and establish a national centre for human rights.

46. Mr. KANANURA (Rwanda) said that the legislation on the National Human Rights Commission had been enacted but it was difficult to find seven persons who would reflect all the shades of opinion in the country. The National Unity and Reconciliation Commission was now functioning, the President - a former Minister for Social Affairs and Gender - having been appointed in January 1999.

47. With regard to the five-point plan, the Government hoped for help and cooperation from the Office of the United Nations High Commissioner for Human Rights (UNHCR) with regard, inter alia, to training, technical assistance and human rights education. In their three years in Rwanda activities of the human rights officers in the field had been confined to monitoring. The Government was dissatisfied with the situation, since what was needed was education and the establishment of a human rights-based culture. After 30 years of government based on impunity, it would take years to establish such a culture, and Rwanda looked to the international community to do its best to get the Human Rights Commission off to a good start.

48. Lastly, he pointed out that the best hope for protecting human rights was security. That was still non-existent in Rwanda, as evidenced by the continuing activities of the Interahamwe movement operating in the region.

49. Mr. van BOVEN, thanking the representative of Rwanda for his answers, said he looked forward to receiving the next regular report and hoped for continued dialogue with Rwanda. When considering reports, the Committee was particularly interested in factual details, not only the legal framework, which could sometimes mask the real situation. The situation remained dangerous, indeed potentially explosive, and there were still many aspects of grave concern in Rwanda and in the region as a whole, since the situations in

neighbouring countries were interlinked. The Committee would maintain Rwanda under its prevention, early warning and urgent action procedures. It was aware of the difficulties faced by the authorities and was ready to help in any way necessary.

50. The CHAIRMAN wished Rwanda well on the road to peace.

51. The representative of Rwanda withdrew.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4) (continued)

Review of the implementation of the Convention in States parties whose reports are excessively overdue

Congo

52. Mrs. SADIQ ALI (Country Rapporteur) reporting on the situation regarding implementation of the Convention in the Congo, said that when the Committee had considered the situation in the Congo in March 1998, the Congo had still been suffering the aftermath of the armed conflict which had initially broken out in June 1997. The Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted resolution 1997/1 (E/CN.4/Sub.2/1997/50) and had recommended that the Commission on Human Rights consider the situation at its next session. Despite several cease-fires and draft accords put forward by an International Committee of Mediation presided over by the President of Gabon, Mr. Omar Bongo, negotiations had failed.

53. The Congolese population comprised nine major ethnic groups subdivided into about 75 tribes, with large Gabonese and French communities, but the fighting had fundamentally been an ethnic conflict between northerners loyal to the current President Sassou Nguesso and southerners loyal to former President Lissouba, who had been forced into exile in October 1997. During the fighting, militias on both sides had detained many persons because of their ethnicity and held them in deplorable conditions. In Brazzaville they were reported to have set up barricades, stopping civilians to check identity cards and the language they spoke; many members of the ethnic group of the opposing side had been immediately killed. Government forces were also said to have detained, beaten and killed individuals because of their ethnicity.

54. Various sources attested to the further undermining of the precarious peace and heightened insecurity since the war had ended. Amnesty International had received reports of government forces, including President Sassou Nguesso's own militia ("Cobras"), deliberately killing unarmed civilians suspected of supporting the armed opposition groups ("Ninjas") loyal to former Prime Minister Kolelas. Thousands of people were reported to have been forced to flee their homes into the forests, and up to 15,000 were reported to have fled to the neighbouring Democratic Republic of the Congo. The United Nations Security Council had called several times on all parties to ensure the safety of the civilian population and the unrestricted delivery of humanitarian assistance.

55. In July 1997, the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary and arbitrary executions had drawn attention to the explosive situation in the country; he had received allegations of indiscriminate bombing of popular neighbourhoods in Brazzaville and summary executions of civilians and combatants (E/CN.4/1998/68/Add.1). The authorities should investigate allegations of the right to life, bring offenders to trial and offer compensation to victims' families. Both parties, he had reported, were responsible for torture and deliberate and arbitrary killings and most victims were targeted because of their ethnic identity.

56. In November 1998, the Congolese Observatory of Human Rights of the Federation of Human Rights (FIDH) had reported more than 100 summary executions since the new authorities had taken power, unlawful arrests and detentions, systematic violations of human rights and acts of racial discrimination against well-targeted victims, and the ineffectiveness of the judicial system, driving the Congo towards chaos and barbarity. The police still functioning were those which supported the Government's actions; and freedom of expression had been suppressed. Societal discrimination and violence, including sexual abuse, against women and children, even by prison guards, was frequent.

57. The Special Rapporteur of the Commission on Human Rights on mercenaries had pointed out (E/CN.4/1998/31) that the active intervention of mercenaries had become one of the ingredients of the conflict. Mercenaries had, paradoxically, been recruited and trained previously, under President Lissouba's legal Government. Congo had not yet ratified the International Convention against the Recruitment, Use, Financing and Training of Mercenaries which it had signed in 1989, and the Committee should urge the Congo to take the necessary steps without delay.

58. During a visit to the Republic of Congo in July-August 1998, Amnesty International's delegates had established that there had been no independent and impartial investigations into the human rights abuses committed in previous months and years and no one had been brought to justice for the abuses.

59. According to the 1997 United States Department of State report, Pygmies faced severe discrimination in employment, health and education. Citizens sometimes resorted to "vigilante justice", killing those presumed to be thieves and "sorcerers". Many Pygmies had a Bantu "patron" to whom they were obliged in perpetuity.

60. She concluded that in the light of the disturbing situation in the Congo, action by the Committee was needed.

61. Mr. BANTON reminded the Committee of the procedure adopted when dealing with the case of Haiti. Bearing in mind the information given by the Country Rapporteur, the Committee should express concern regarding the status of implementation of the Convention in the State party, request updated information and urge the State party to resume its dialogue with the Committee and to make use of the technical assistance of the United Nations in implementing its international obligations.

62. Mrs. SADIQ ALI emphasized that the Congo ought to be urged to take the necessary steps to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries. She highlighted the fact that, according to the Amnesty International report, no independent investigation had been carried out into human rights abuses and no one had been brought to justice, and that, despite moves by the Special Rapporteurs, of the Commission on Human Rights, the Committee and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, no action had yet been taken.

63. Following a suggestion by Mr. FERRERO COSTA, the CHAIRMAN asked Mrs. Sadiq Ali to prepare a draft decision with the assistance of Mr. Banton.

The meeting rose at 5.35 p.m.